

Staff Variance Report
For
August 6, 2013 Commission Meeting

“A” category = staff recommendation is for approval with no equal alternatives because of noncompliance is not adverse.

“B” category = staff recommendation is for approval with equal alternatives as stated by the proponent.

“C” category = reserved, meaning staff believes Commission needs to discuss entirety.

“D” category = recommendation is for denial.

“I” category = incomplete (with permission of the Chairman).

“NVR” category = no variance required.

NOTE: All staff recommendations presume code statements on the variances by the applicant are correct, unless otherwise noted. This means that all code statements become conditions of the variances and, if not true, the variances would be subject to Commission sanction. All LBO and LFO responses that they have received a copy of the application for variance are in order, unless otherwise noted.

Tabled Variances:

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| 13-01-36(b) | C | <p>Lafayette Family YMCA – Lafayette</p> <p><i>(b) Remote exterior exits on the back of the building will not be provided with a sidewalk to the public way as required by code.</i> The exit discharge, “walking surface of the means of egress shall have a slip resistant surface and be securely attached”, this is interpreted to require a concrete sidewalk to the public way. The proponent advises that the code does not stipulate that the exit discharge be a paved surface and that a yard can be classified as a component of the exit discharge for a building. The hardship is the cost of installing sidewalks on the back of the building, which is estimated at approximately \$40,000.00. If the exit path away from the building is just mud or grass, how do wheelchairs get through it? Tabled at the request of the proponent. Tabled at the proponent’s request until the March meeting. Tabled at the request of the proponent until the April meeting. <u>Tabled at the request of the proponent until the June 4th meeting. Tabled at the request of the proponent until the December 3, 2013, meeting.</u></p> |
| 13-06-1 | D | <p>Fraternal Order of the Eagles #852 – Rochester</p> <p><i>The code required sprinkler system will not be maintained in the building.</i> The proponent advises that the building is all on one level and there are exits on each side of the building that are clearly marked and unlocked when the building is occupied. The attic is not used and has what they call fire walls every 30 feet. All extinguishers are to code and inspected and there is a security system that has 7 cameras that monitor the open floor 24 hours a day. The hardship is the continued repairs are in excess of \$10,000.00 at this time and the replacement of the system has been estimated at from \$80,000.00 to \$100,000.00. The building is 10,840 sq. ft. with a bar area and kitchen. Tabled to allow proponent to get quotes on possibly using CPVC piping. <u>Tabled again for proponent to get prices on CPVC piping.</u></p> |

- 13-06-2 DI **SVT Elevators – Munster**
*The current elevator was installed without a permit in 1982. The proponent wishing to have the elevator allowed to be maintained as it is without bringing up to today's code, with the assumption that it was installed compliant to the code of record, assuming this is the correct time of installation. Proponent requested to be tabled until the July 2nd meeting. **Tabled so proponent can get more information concerning the non-compliant conditions of the elevators and supply a list of the conditions from a certified elevator inspector.***
- 13-06-8(a)(b)(c) CI **Tippecanoe Court Suite 2561 Remodel – Lafayette**
 (a) *The existing building built in 1996 was classified as a Type II-B, Group M occupancy and unlimited area building due to the 60 foot side yards and automatic sprinkler system, but the existing building has a non-compliant wood canopy. The size of the existing spaces requires an area modification and the building needs to be of Type II-B construction and the Type II-B does not allow for the wood canopy. The proponent advises that they will make the existing 2 hour fire walls into four hour fire walls. The hardship is that the canopy would need to be demolished and replaced or an automatic sprinkler system installed. What is the size of the building and the canopy? What is the cost to comply?*
 CI (b) *The existing fire walls do not continue through the canopy as required by code. The proponent advises that in order to classify the building areas as separate buildings, the two hour fire walls are being made into four hour fire walls. The existing fire walls do not extend to the exterior of the horizontal projection (canopy) as required by the 2008 IBC. Are the fire walls structurally independent?*
 CI (c) *The existing canopy is not sprinklered as required by code. The size of the existing spaces requires an area modification. To allow the area modification the building needs to be sprinklered. The interior of the existing building is sprinklered, but the canopy is not as required. Tabled at the request of the proponent until the July 2 meeting. **Tabled for proponent to provide revised applications.***
- 13-07-4 D **The Hideaway Bar and Grill – Gas City**
*The code required sprinkler system for this A-2, with a seating capacity of 150, will not be provided. The proponent advises that they are willing to lower the seating capacity and are open to other suggestions. The hardship is that they do not have the funds to install the sprinkler system. Have they received any bids for the sprinkler system? Unknown if this is a new facility or a reopening of an older facility. No alternatives offered. **Tabled so proponent can get more information on reducing the square footage of the occupiable space to lower the occupant load.***
- 13-07-21 AI **Greencastle Parking Garage - Greencastle** Project #364726
*The new 2-story open parking garage will not be provided with emergency showers and eyewash station, or other plumbing fixtures. The code requires all S occupancies to be provided with emergency showers and eyewash station and other plumbing fixtures. The garage is for parking of private and pleasure-type vehicles only, with no repairs or other functions. The hardship is the cost for unnecessary plumbing fixtures. **Tabled at the request of the proponent.***

New Variances:

- 13-08-1 BI **Norfolk and Southern – Rapid Repair Facility Expansion** – Elkhart Project #363537
This project fails the ComCheck compliance certification due to the interior lighting, exterior lighting, and mechanical will not be met. This proponent advises that this is an addition to the locomotive repair shop and is not open to the public and therefore the public safety and welfare are not impacted. The employees are protected by the facilities provided by the railroad, operational and work requirements. The hardship is the requirements placed on the operational requirements. The proponent advises that they will place foam insulation in the cores of the concrete blocks to the extent possible because some of the cores are required to be filled with reinforcing steel and concrete to meet seismic regulations.
- 13-08-2 AI **2421 E. Boston Road – Bloomington – Windows**
The emergency escape and rescue windows do not meet the size requirement for the code of record. The code of record requires that the windows have an openable area of 4.75 sq. ft., a minimum clear openable height of 24”, a minimum clear openable width of 18” and a maximum sill height of 44”. The current windows are 4.18 sq. ft. in area, have an existing width of 14”, an existing height of 43” and a sill height of 37”.
- 13-08-3 AI **512 East 15th Street – Bloomington – Windows**
The emergency escape and rescue windows do not meet the size requirement for the code of record. The code requires a minimum openable area of 5.7 sq. ft. and the existing windows area is 5.5 sq. ft. and the code requires a clear openable height of 24” and the existing window is openable to 22”.
- 13-08-4 A **550 E. Graham Place – Bloomington – Windows**
The emergency escape and rescue windows do not meet the size requirement for the code of record. The code of record requires a minimum clear openable area of 4.75 sq. ft., a minimum clear openable width of 18”, a minimum clear openable height of 24” and a maximum sill height of 48”. The current windows have a clear openable area of 4.89 sq. ft., a clear openable width of 30”, a clear openable height of 23.5” and a sill height of 31.
- 13-08-5 CI **Ameriprise Financial - Newburgh** Project #359647
The building was constructed within 10’ of the property line without the proper fire rating. The variance request is to allow non-fire rated construction based on the existing 7’ 6” from the property line and that the adjacent property has a 5’ drainage easement. The proponent advises that there is also a 5’ set back required by County ordinance thus giving a 12’ 6” distance from any new construction on these two lots. The hardship is the construction requirements to meet the code at this time would be a hardship from the cost standpoint as well as it would hinder the operations of the business during any construction. What is the cost to comply? What business operations are hindered? What’s on the adjacent property?

- 13-08-6 A **200 and 202 E. 16th Street – Bloomington – Windows**
The emergency escape and rescue windows do not meet the size requirement for the code of record. The code of record require a minimum openable area to be 4.75 sq. ft., have a minimum clear openable height of 24", a minimum clear openable width of 18" and a maximum sill height of 44". The current windows have an openable area of 5.69 sq. ft., a clear height of 32", a clear width of 26.5" and a sill height of 45". These measurements are for a basement window in the 200 side of the double and in the 202 side one window in the basement and one window in the rear bedroom.
- 13-08-7 A **2942 S. Walnut St. Units 1 through 8 – Bloomington – Windows**
The emergency escape and rescue windows do not meet the size requirement for the code of record. The code of record require a minimum openable area to be 4.75 sq. ft., have a minimum clear openable height of 24", a minimum clear openable width of 18" and a maximum sill height of 48". The current windows have an openable area of 2.58", a clear height of 31", a clear width of 12" and a sill height of 43.5". The proponent advises that these windows allow that both sashes can be popped out of the frame and that the windows are in an existing brick structure. This problem is the same in each of the eight units.
- 13-08-8 A **2232 E. Cape Cod Dr. – Bloomington – Windows**
The emergency escape and rescue windows do not meet the size requirement for the code of record. The code of record require a minimum openable area to be 4.75 sq. ft., have a minimum clear openable height of 24", a minimum clear openable width of 18" and a maximum sill height of 48". There are two windows that do not meet the code of record and measure: openable area is 4.91 sq. ft. and they have an openable height of 23", an openable width of 30.75" and a sill height of 31.5".
- 13-08-9 CI **Heritage Heights Apartments – Crawfordsville** Project #364652
The code required sprinkler system required for the addition will not be provided. The proponent advises that they have a monitored fire alarm system throughout the building. They advise that it is plugged into the fire department plus is monitored by B & R Fire Protection Company in Crawfordsville. The 2 units that are commercial units that are being converted to apartments are already part of this alarm system. The hardship is that the building was built in 1913 and is all plaster with very high ceilings. There is no way to run water into the ceiling without doing a lot of damage. They advise the cost estimate for a sprinkler system was said to be around \$70,000.00 to \$80,000.00. What damage would result from installing the piping?
- 13-08-10 AI **Angel Mounds Bldg. Historic Restroom Conversion – Evansville** Project #362268
The accessible restroom being used in lieu of a new restroom in the new building will not fully comply as an accessible restroom. The sink in the restroom will be 6" to close to the wall on the opposite side of the toilet. The current code requires 60" from the wall to the sink and there is only 54". The proponent advises that everything else in the restroom is compliant with regards to spacing of walls, doors and fixtures. The hardship is that all plumbing in the restroom is located within a poured concrete floor will walls set on concrete block footers, thus making the moving of the sink very difficult. They advise

that they will be required to move the sink on the outer wall directly behind the restroom to meet the code and eliminating the sink located within the actual restroom.

- 13-08-11 B **Tim's Shooting Academy of Westfield – Westfield** Project #365967
The code requirements for the Energy Conservation Code will not be met for the insulation of the structure. The proponent advises that this is due to the use of the structure as a shooting range and the need for the 10" reinforced walls to stop errant bullets. The insulation would be damaged and would be a place for powder and lead residue to accumulate, making the interior insulation a hazard, due to the damage of the insulation. The use of exterior insulation was examined but due to local zoning requirements, which are masonry, would create a 22" wall and add substantial cost to the construction. They advise that the range is unheated except for when a shooting lane is occupied. The 22" wall is described as 8" block, 1 ½" air, 2 ½" R- 11.4 foam board insulation and 10" reinforced concrete wall. What is the cost to comply?
- 13-08-12 C **Martin Bedding Saw Dust Grinding Building – Goshen** Project 365921
The code allowed 12,000 sq. ft. will be exceeded for the sprinkler requirement, for an F-1 and S-1, with the construction of the 19,625 sq. ft. building. The proponent advises that the open building does not lend itself to be sprinklered and instead tanks and fire hoses are more feasible around the equipment involved. They advise the hardship is that this is an agricultural application and located in the middle of a farm. This appears to be a facility that manufactures saw dust for animal bedding. The local fire department only advises that they received a copy of the variance and not that they were in agreement with the lack of sprinklers in this installation. The drawings show large water tanks and pumps in the structure and that there is no electrical lighting or any fixtures in the main building. The attached building is where they show the electric and gasoline pumps for the water tanks. With the propensity for saw dust to burn and especially being stored in a covered building, what other safety alternatives are being provided?
- 13-08-13 BI **Lakeside School – Versailles** Project #364989
Hand sanitizers will be provided in lieu of the code required hand sinks in the boys and girls privies which will not have running water. The proponent advises that this is an Amish School and will have no running water. The hardship is that the privies are unheated and there is no electricity to the site to keep the water from freezing.
- 13-08-14 I **Country Club of Indianapolis – Indianapolis**
A 30' X 50' tent will be installed for a period in excess of the code allowed 30 days.
- 13-08-15 CI **Avalon of Fishers Townhomes – Section 1G – Fishers**
One sanitary sewer lateral will be provided per building in a new project of townhomes, rather than the Indiana Residential Code required one per each townhome, based on the Building Law Compliance Officer interpretation. The proponent advises that this is not adverse to public health, safety or welfare since the existing townhomes in the development have already been constructed with only one lateral sewer serving one building. They further advise that they have a recorded easement for the sewer line. The hardship in implementing this section upon the new construction is cost prohibitive.

According to the drawings provided, it appears that this is a project with 7 buildings consisting of 2 five unit buildings, 2 six unit buildings and 3 seven unit buildings. What is the cost to comply? How many buildings already have been constructed?

- 13-08-16 AI **B & G Mortuary Service – Charlestown** Project #365546
The proposed storage room, 396 sq. ft. in area, will not be provided with the code required emergency shower, eye wash station, service sink and drinking fountain. The proponent advises that there is already a sink, emergency shower and eye wash station in the existing building. The new addition will not be insulated or be air conditioned. The area will only be used by the one employee who is responsible for the embalming activities. The hardship is that since the area will not be insulated or have conditioned air, the plumbing fixtures would create operational problems due to freezing.
- 13-08-17 AI **BW Properties Warehouse – Bloomington** Project #364691
The code required toilet rooms, shower/eyewash station, drinking fountain and service sink will not be provided in the 3,496 sq. ft. storage building. The proponent advises that this is classified as an S-1 Occupancy of Type VB construction. The building will be an accessory storage building for Bellwether Manufacturing, which manufactures CD's, DVD's and other related products. The building normally will be unoccupied and accessed infrequently by employees. Toilet facilities, drinking facilities and service sink are provided in the main building on the site. There are no functions in the storage building that would necessitate an emergency shower or eye wash station. The hardship is the cost to provide plumbing facilities for which there is no benefit to the public welfare.
- 13-08-18 AI **Wible Lumber Equipment Vestibule Addition – South Milford** Project #364907
The proposed addition of 496 sq. ft. to a building will exceed the allowable area (14,875 sq. ft.) per the current code for a Type VB construction, and create a fire area exceeding the permitted 12,000 sq. ft. for a non-sprinklered F-1 occupancy per the current code. The proponent advises that the current building is 16,117 sq. ft. in area. The variance request is to permit the addition of the proposed equipment enclosure without complying with the current IBC Chapter 5 for allowable building area limits and Chapter 9 for fire area limits. The existing building was constructed in the late 1980's and is used to sort and cut green hardwood lumber. The proposed addition is an equipment enclosure for a "chain stacker" mechanism to stack lumber as it exits the existing chain conveying system. The equipment automates a labor intensive process to prepare the lumber for the kiln. The addition will increase the existing building area by only 3%. The hardship is that the equipment cannot be feasibly reconfigured to fit within the existing building, necessitating the small building addition. The available water supply will not support the installation of a sprinkler system.
- 13-08-19 AI **Wible Lumber Equipment Vestibule Addition – South Milford** Project #364175
The code required toilet rooms, shower/eyewash station, drinking fountain and service sink will not be provided in the 6,000 sq. ft. storage building. The building is classified as S-1 occupancy of Type VB construction. The proponent advises that the building will normally be unoccupied and accessed infrequently by employees. The complying

facilities are located elsewhere on the site and within 375 feet of travel distance. The hardship is the cost to provide plumbing facilities and the necessary water and sewage facilities for which there is not benefit to public welfare.

- 13-08-20 C **Rick's Sports Bar – Evansville** Project #362955
With the addition of a new smoking area, the fire area for the smoking area, the bar and the swap shop area has an occupant load in excess of 100, requiring a sprinkler system for the entire area and this will not be provided. The proponent advises that the addition of the smoking area was to facilitate their customers when the new city ordinance went into effect and not to increase the occupant load of the area. The building is older and does not have a sprinkler system. They advise that they enclosed two areas in the business to decrease the occupant load of the business. They advise that they do not normally have more than 60 customers at one time in the bar, but the occupant load is 95. The hardship is that creating a 2 hour fire wall between the bar and swap shop would be very difficult and expensive to achieve and they cannot afford to install a sprinkler system. In accordance with their drawings, the swap shop is 1851 sq. ft. and they advise it is 2232 sq. ft. In accordance with their drawings, the bar is 101' X 31' = 3131 sq. ft. They advise the bar is 2740 sq. ft. They submitted no measurements for the patio, but Plan Review had the patio as 352 sq. ft., for a total of 2822 sq. ft. using their provided sq. ft. for the bar or a total of 3483 sq. ft. The occupant load for the bar using 15 is 165 and adding in the patio is 188. The Construction Design Release advised that the construction type was VB, with a sprinkler. It also called out the sprinkler system plans for the addition being needed and that sprinklers were required in A-2 occupancies in accordance with Sec. 903.2.1.2 of the IBC. What is the cost to comply? Can they install a 2 hour fire barrier?
- 13-08-21 AI **The American Building – Indianapolis**
PVC piping will be used for the roof drain system connecting 10 floor levels. The code in effect for this project limited the use of PVC to structures of 3 stories or less in height. This project was filed under the 1999 IPC and involves the conversion of an existing 1929 ten story office building to apartments. The building is of Type IB construction, concrete frame and floor construction. The currently adopted 2012 IPC does not limit the number of stories for PVC piping for storm drainage. The hardship is the material and installation costs for cast iron or copper drainage piping.
- 13-08-22 C/DI **Main Gate Sports Bar and Restaurant – Evansville**
The 2nd floor, previously used as an assembly space, is proposed to be occupied for events for groups with a maximum occupant load to be limited to 49, with access to a single means of egress stair from the 2nd floor for a period of one year. The proponent advises that the building is classified as A-2 occupancy on the 1st floor and the 2nd floor area proposed for occupancy, an existing R-3 occupancy dwelling unit on the 2nd floor and S-2 in the basement. The building is classified as Type IIIB construction (masonry exterior walls with wood frame/heavy timber floors and roof structure). There is a fire alarm installed throughout the building as required by Variance 12-10-33(a, b). The building is protected with an automatic sprinkler system as required by Variance 12-10-33(a, b). The building is a nonsmoking facility, per local ordinance. Emergency egress

lighting and signage will be provided throughout the 2nd floor as required. No cooking will occur on the 2nd floor. The 2nd stair from the 2nd floor has been planned (Construction Design release #364526) but, due to the cost of the stair installation and associated construction (approximately \$20,000.00), this variance is requested for partial occupancy of the 2nd floor in order to allow additional revenue to fund the construction of the stair. There have been multiple variances approved for this facility, some of which allowed the use of the second floor provided the R-3 was not rented and there was an exit path through that area for the second exit from the second floor. Some of the paperwork seems to indicate that the owner now wishes to rent the R-3 and has not installed a second exit stair to replace the one going through that space.

- 13-08-23 AI **Oliver Winery – Shelter and Restrooms – Bloomington**
The proposed open canopy structure and restrooms will be placed in proximity to the existing building such that the exterior wall and opening protection requirements will not comply with Section 704.5 and 704.8 of the 2008 IBC. The code states when a new building is placed on the same lot as an existing building, the location of the assumed property line between the structures is required to be such that both buildings are in compliance with exterior wall and opening protection. The proponent advises that the open canopy structure will be used for outdoor seating, and together with the attached restrooms will be classified as Type VB construction. The existing building includes a tasting bar with limited indoor seating and outdoor seating, retail, production and office use. The existing building is a mix of heavy timber and Type VB construction. The canopy structure will be constructed of solid wood members with no enclosing walls facing the existing building. Per the proponent, based on the open air character of the canopy structure, limited enclosed area, and relatively small size of the new structure, the proximity to the existing should not be adverse. The hardship is that the new structure is necessary to provide additional outdoor seating and restrooms for convenience of the patrons, and the close proximity to the existing building is determined by existing topography.
- 13-08-24 BI **Market South – Lafayette** Project #363240
The code required vestibule for a main entrance will not be provided. The main entrance to the tenant spaces is for an area greater than 3,000 sq. ft. The building will be a multitenant building with tenants classified as M, B, and A-2 occupancies. The proponent will, instead of the vestibule, provide an air curtain at the opening, which separates indoor and outdoor air temperatures with a stream of air with a particular velocity and position. The hardship is the cost of the vestibule is several thousand dollars, in addition to the loss of retail space within the store. The air curtain provides a more customer friendly entrance.
- 13-08-25(a)(b) BI **Tinker Flats Building 1 – Indianapolis**
 (a) *The newly constructed 3 story stair will not be enclosed with fire rated construction as required by code.* The existing building is being evaluated per Section 3410 of the 2008 IBC. The proponent advises that scores of 3.5 for a complying 1 hour vertical enclosures are taken in the scoring. The building is an existing 3 story industrial structure which will be converted to office use on floors 1 and 2 and to meeting and conference

space on the 3rd floor. The building is classified as Type IIIB construction, with masonry exterior walls and a combination of steel and wood interior structural frame, and wood floor and roof structure. The building is evaluated as nonseparated occupancies. Part of the project will be the construction of a 1st floor mezzanine. The proponent advises that they will install a minimum 18" draft curtain consisting of close spaced sprinklers will be provided at the ceiling on the 1st floor at the stair opening through the 2nd floor. A 1 hour fire partition with 60 minute doors will separate the stair between the 2nd and 3rd floors. The building will be protected throughout with an automatic sprinkler system per NFPA 13. A fully enclosed exit stair will be provided serving each story. The partially enclosed stair will allow the 1st and 2nd floor to have a communicating opening.

BI (b) *The code required Type I or II hood will not be provided for the residential type electric range/oven in the pre-function lounge space on the 3rd floor.* The proponent advises that a residential type hood will be installed above the stove. "Stove Top Fire Stop" extinguishing canisters will be provided above the stove. The range will be used primarily for warming and will be used infrequently. The hardship is the cost for a commercial hood.

13-08-26 C **Mursix Corporation – Addition – Yorktown** Project #365893
The code required 60' side yards needed to be considered an unlimited area building in Section 507 and the general height and area limitations in Section 503 will not be met. The proponent advises that they only have 35' to the property line and are unable to purchase the other 25' of land to get the 60' needed. There is no mention of the use of a fire wall in lieu of the 60' as an option. They advise that the hardship is the limitations of the construction site and the excessive costs of additional or altered construction that would allow the required distance to the property line. What is on the other side of the property line? What are the costs? What kind of activities are conducted in this building?

13-08-27 C **HMN Venues, LLC – Agricultural Rental Hall – West Lafayette**
The code required sprinkler system will not be installed in this new A-2 facility. The proponent advises that the facility will be 6,715 sq. ft. total, divided into multiple areas of which the two largest are 1,920 sq. ft. on one side and 2,965 sq. ft. on the other. The kitchen will be used for warming only and all food will be catered into the structure. The total occupant load is expected to be 400. They advise that there is no public water within 4.4 miles of the facility. The area is agricultural, farming and rural residential. They advise that there are 4 residences to the north and south and one to the east. There are 2 more being built to the east and 1 to the west. None of these homes has a water source for fire protection. They are advising that they are planning to install a 10,000 gallon underground water tank which will provide firefighting water supply to the site as well as all of the homes within 1,000 feet of the property. They advise that this size was recommended to them, but do not state who recommended it. They advise that a pond will not work due to soil drainage. They advise that the hardship is the cost to provide public water with an estimate of \$2.32 million dollars which included hydrants every 500 feet for a total of 46 hydrants for the 4.4 miles. Is alcohol consumed in this building? Are there open flames used, such as candles?

- 13-08-28 AI **206 E. 16th Street – Bloomington – Windows**
The emergency escape and rescue windows do not meet the size requirement for the code of record. The code of record require a minimum openable area to be 4.75 sq. ft., have a minimum clear openable height of 24", a minimum clear openable width of 18" and a maximum sill height of 44". There are two windows that do not comply with these numbers due to the sill height being 45" rather than the 44".
- 13-08-29 CI **21st Century Charter School/Gary Middle School – Gary** Project #362970
The 1st floor classroom portion of the building will be occupied prior to the completion of the building. The variance request is to permit occupancy of the completed 1st floor classroom area prior to the completion of the entire building. The 1st floor will be occupied September 3rd and the entire building will be completed October 31st. The project involves construction of a 2 story school for grades 6 – 12. The building is classified as E occupancy and of Type IIB construction. The proponent advises that the sprinkler system will fully operational in the 1st floor classroom area prior to occupancy. All required means of egress for the 1st floor classrooms will be available at the beginning of occupancy. Temporary stud and gypsum board wall floor to deck without openings will be provided to separate the occupied area from the area under construction. The hardship is that the entire building cannot be completed by the beginning of the fall 2013 semester. Will notification of fire conditions in the areas under construction be provided?
- 13-08-30(a)(b)(c) **Stadium Lofts – Indianapolis** Project #356310
 BI (a) *The units designed for "Type A" design in the building do not comply with various features required per ICC/ANSI A-117.1 Standard per the memorandum created from conversations with City of Indianapolis Code Enforcement inspectors. The variance is to not require Type A units in the building. The project involves the conversion of the historic Bush Stadium into apartments. The stadium was constructed in 1931 and served as the home for the Indianapolis Indians baseball team until 1996. The construction includes partial demolition of the seating tiers and construction of 3 floors under the existing grandstand roof structure to create a 3 story apartment building. The proponent advises that all units intended originally to be Type A units comply with the clear floor space requirements within the units per Type A design. The remainder of the units in the building comply with Type B design. The design will comply with a proposed code change to the proposed new Building Code. The Fair Housing Act does not require Type A units, only Type B units. The hardship is the issues noted by the city were identified less than a month before the conclusion of construction and occupancy of the building.*
 AI (b) *The use of storage shelving has been verbally cited as a violation in utility rooms containing the washer, dryer and water heater on the floor and an air handler/furnace at 9' 11" above the floor (suspended from the structure above). The fire code does not allow combustible materials stored in boiler rooms, mechanical rooms or electrical equipment rooms. The proponent advises that the shelving is provided in order to allow orderly storage of household or laundry items by tenants. The building is protected throughout with an NFPA 13R sprinkler system. The hardship is the removing of the shelving will result in less safe conditions.*

- AI (c) *The air conditioning ducts exposed within units (not concealed above ceilings) do not have seams “sealed with welds, gaskets, mastics (adhesives), mastic plus embedded fabric systems or tapes” as required per the Mechanical Code section cited.* The proponent advises that the sealing of the exposed duct work serves no purpose because the ducts serve the area they are located in. The hardship is the sealing of the seams in the ductwork at this point is time is a cost and logistical hardship, since the building is set to open in a couple of weeks.

13-08-31 BI **First Church of Christ – Teen and College Ministry Building – Bluffton**

Project #364130

The code required sprinkler system will not be provided for the A-3 occupancy building with an occupant load in excess of 300. The proponent advises that this building will be used for the church’s Teen and College ministry program, including religious educational classrooms and youth worship and fellowship space. The building is 1 story classified as an A-3 of Type VB construction. The building footprint will be 6,300 sq. ft. in area plus mechanical/storage mezzanine of 882 sq. ft. A 2 hour fire barrier will be provided to separate the storage room from the rest of the building and the fire area on each side of the 2 hour fire barrier will be less than 7,000 sq. ft. The building does not contain a kitchen. The maximum egress travel distance will be less than 100 feet. The building is provided with a fire alarm system. The building will not be rented out to outside groups. It is for use as Teen and College ministry for the church. The hardship is the cost of the sprinkler system for a building that is used primarily for worship and related religious functions. What is the cost to comply? Is this used only for Sundays or is it used during the week?

13-08-32(a)(b) **Carmel United Methodist church – Additions and Renovations – Carmel**

- CI (a) *The proposed new entrance canopy and colonnade addition of approximately 1,470 sq. ft., plus the existing 1st floor area of 29,579 sq. ft. (1957, 1965 and 1978 construction), will exceed allowable area per current code for Type VA construction.* The allowable area per the current code is approximately 15,000 sq. ft. The allowable area per the 2003 code was 21,000 sq. ft. There was also an addition in 2001 that was separated by a 2 hour area separation wall. The building is classified as A3 occupancy. The project includes the canopy/colonnade addition, a rest room addition to the 2001 addition and limited interior renovations throughout. The hardship is the imposition of the rule would require a structurally independent fire wall to separate the exterior canopy and colonnade addition from the existing building, which would be a functional hardship as it would affect the usability of the entrance. Is the building sprinklered throughout?
- BI (b) *A 2 hour fire barrier will be used in lieu of the code compliant fire wall to separate the proposed restroom addition of 752 sq. ft. from the 1978 portion of the existing building.* The addition will be added to the 2001 addition. Existing area separation walls separating the 2001 addition from the rest of the existing building do not comply with current code requirements for a fire wall due primarily to lack of structural stability. The 2001 addition is protected throughout with an automatic sprinkler system. The restroom addition will also be protected with sprinklers. The hardship is based on the strict imposition of the rule would require a structurally independent fire wall to separate the restroom and the remainder of the 2001 building from the rest of the existing building.

- 13-08-33 BI **University Center – Mishawaka**
The owner of the structure wants to provide for expansion capabilities for existing restaurant, as well as opportunities for future restaurant type tenants. The expansion of existing assembly occupancies would cause the space to be over area, such that it would either have to be sprinklered or be constructed of a different construction material. They're requesting to add sprinklers as the new restaurant opportunities arise rather than all at once. The existing building was constructed of Type II-B construction (unprotected steel structure, metal roof deck, masonry exterior walls). The applicant acknowledges that a sprinkler system is appropriate for this building given the continued opportunity to lease tenant spaces to other than M occupancies, such as the space leased to Buffalo Wings and Rings. Additionally, as tenants are either replaced or they remodel their space, the new fire sprinkler system will be extended to provide coverage for the strip mall tenants, (this would not include Best Buy on the north side as it is separated by a 4 hour firewall system). Each new A-2 will be separated from other tenant spaces by a 2-hour fire barrier. The proponent advises that there are several existing tenants that have recently been renovated, so it would create an undue hardship to install the sprinkler system at this time.
- 13-08-34 AI **ArcelorMittal USA, #2 Steel Producing – Freight Elevator – East Chicago**
The code required fire alarm initiating device will not be provided for the operation of the elevator. The proponent advises that the elevator is used to convey mold powder, refractories, refuse (garbage) and refractory scrap. The mold dust and sedimentation of the refractory scrap would adversely affect the efficiency of any fire prevention system. The smoke generated by the facility while producing steel will also compound the affect on the on the fire prevention system. The hardship is that the imposition of the rule will prevent the usage of the elevator and will affect the productivity of the caster adversely.
- 13-08-35 BI **Franklin College – Hamilton Library – Air Handler and Boiler Retrofit – Franklin**
The project consists of replacing two existing air handling units. The existing units do not have smoke detection as required by the current IBC and the new units also will not have the required smoke detection because the current fire alarm system is not capable of receiving the new smoke detector inputs and alarming. The proponent advises that the new air handlers will be equipped with stand alone smoke detectors that will shut down the unit and notify the facility personnel through the associated building automation system. This is an upgrade of the system currently in place. The owner plans to upgrade the fire alarm system in the future but that will not be completed before the unit is operational. After the building's fire alarm system is upgraded, these smoke detectors will be connected to the fire alarm system. The hardship is that the existing fire alarm system does not have the capability of communicating with the new detectors. A complete upgrade of the siren alarm system adds additional stress to the project budget intended to replace mechanical equipment that is beyond its useful life. What is the time frame for the new fire alarm system to be installed?
- 13-08-36 CI **Lincoln Financial Group – Reroof and Roof Related Work – Ft. Wayne**
Use of stone on a roof area of a building in exposure category "B" in a basic wind speed region of 90 mph with a mean roof height of 126 feet is not allowed based on Table

1504.8 of the IBC which gives a maximum roof height of 110 feet. The proponent advises that the 8th floor roof area perimeter is protected on 4 sides by a 14 foot wall. In addition, 3 of the walls have an upper 7 foot wide walkway that provides additional protection. The proponent advises that the roof area is protected from increased high wind events at this height that might otherwise dislodge the stone and damage to this or other surrounding buildings. The stone would need to be lifted 14 feet vertically and around the 7 foot wide ledge, on three sides, to become wind borne. The hardship is that due to the close proximity of the building to the streets, crane reach access over the surrounding lower roof areas from flanking downtown streets around the building would not be possible in order to remove the more than 25 tons of existing ballast stone from the upper roof area. They advise the practical solution is to use the gravel as ballast for the new roof.

- 13-08-37 BI **Amish Parochial School – Fountain City**
The code required items from Table 29 in the IBC will not be installed, including the drinking fountain, lavatories, and service sink. The proponent advises that they will use bottled water for the occupants, use toilet facilities as provided through the State Board of Health approved Sanitary Vault Privies and chemical hand sanitizers will be provided in each privy as well as the school building. The service sink will instead be provided with the use of a freeze proof yard hydrant and buckets stored on site so the toilets can be cleaned on a regular basis. Many previous variances have been approved with the same types of alternatives.
- 13-08-38 NVR/CI **Avondale Meadows Health and Wellness Center - Indianapolis**
Project #358790
The local fire department has cited the cabinets and counter tops within the employee work areas as not complying with ICC/ANSI A117.1. The building is a 2 story structure, including a fitness and exercise facilities, outpatient medical offices, preschool and child watch area, community meeting room, administrative offices, and related support functions. The building is Type IIB construction. The proponent states that Section 1103.2.3 provides that “spaces and elements within employee work areas shall only be required to comply with Sections 907.9.1.2, 1007 and 1104.3.1 and shall be designed and constructed so that individuals with disabilities can approach, enter and exit the work area” and that the design complies with this requirement. The cited sections in Section 1103.2.3 with which the employee work areas are required to comply do not specify cabinets and counter tops. The hardship is that the building is substantially complete.
- 13-08-39 CI **Fox Apartments – Bloomington**
A rooftop deck area of 736 sq. ft. for use by residential tenants for sunbathing and casual seating will be provided with access to a single exit rather than the code required two exists. The calculated occupant load is 49 based upon classification as “less concentrated assembly use”. The apartment building will be 4 stories in height. The building is classified as R-2 occupancy on floors 2 through 4, and S-2 occupancy (enclosed parking) on the 1st floor and will be Type VA construction. The deck area will have a direct exit into an exit stair enclosed with a 2 hour fire barrier. Travel distance to the enclosed stair from the deck will be a maximum of 35 feet. Emergency egress illumination will be

provided for the deck area. The building will be protected throughout with an automatic sprinkler system per NFPA 13R. The hardship is the cost to extend the 2nd stair to the roof deck. What is the cost? Will alcohol be allowed in the deck area? Will smoking be allowed there?

- 13-08-40 CI **St. Sava Worship Pavilion – Merrillville** Project #352876
The code required sprinklers will not be provided for the structure. The proponent advises that this structure is an open air pavilion facility, where the only side walls are on the ends which will be used for storage and a stage area. The area of primary occupancy has the slab only 6 inches higher than the surrounding ground, giving fast and easy egress from the structure, in case of an emergency. The hardship is that the pavilion will be used to replace the tents that have been used in the past and the budget does not have the funds for sprinklers.
- 13-08-41(a)(b)(c) CI **617 North College – Indianapolis** Project #366028
 (a) *A 4 story R-2 occupancy of Type VA construction will be constructed over the 1 story S-2 occupancy of Type IA construction and an NFPA 13R sprinkler system will be installed, even though the building will be 5 stories in height, which is not permitted by code.* The proponent advises that the NFPA 13R system is permitted in buildings up to 4 stories in height if considered as a single structure. This variance request involves buildings 3 and 4 which are mirror images of each other. The proponent advises that, per Section 509.2 in the IBC, the upper building is permitted to be considered as a separate 4 story building for the purposes of construction type and allowable area. The upper building is within the allowable area and height permitted per the IBC without the use of an NFPA 13 sprinkler system. The S-2 occupancy parking garage structure will be Type IA Construction and protected with an NFPA 13 sprinkler system. The hardship is the cost of providing a full NFPA 13 sprinkler system in the 4 story R-2 occupancy building due primarily to the requirement to provide sprinkler protection within the attic and open web floor joist cavities. What is the cost? If this is new construction, why can't it comply?
- AI (b) *The code required emergency showers, eye wash station, service sink, drinking fountain and water closets will not be provided in the 1 story S-2 parking garage.* The proponent advises that the garage is for resident parking only with no repair work or other activities justifying the requirement for these types of fixtures. The hardship is the cost to provide plumbing fixtures for which there is no benefit.
- CI (c) *A 2 hour fire barrier will be provided in lieu of the structurally stable 2 hour fire wall to separate the new building 1 from the existing historic building that will remain on the site.* The project involves the construction of a number of buildings involving residential construction as indicated on the attached plans. Building 1 will be a 4 story, R-2 occupancy building. The existing building is a 2 story structure that will have residential tenant amenity spaces on the 1st floor and R-2 occupancy apartments on the 2nd floor. The proponent advises that building 1 will be protected with an NFPA 13R sprinkler system. The 2 story existing historic building will be protected with a NFPA 13 sprinkler system. The hardship is the cost of construction a structurally stable fire wall given the circumstances of the existing and new construction interface. What is the cost?

- 13-08-42 I **Wishard Hospital – Replacement Facility – Indianapolis** Project #345739
- 13-08-43 AI **Biomet 2013 Dining Expansion – Auburn** Project #361207
The new electrical panel minimum head room space will be obstructed by approximately 4 inches by the door frame and header, which is prohibited by code. The minimum head room required is 6 ½ feet, or the same height as the equipment, and for a minimum depth of 3 feet in front of the equipment. The door frame is approximately 4 inches shorter than the height of the equipment. The project involves a dining and kitchen addition of 13,568 sq. ft. to the existing manufacturing plant. The proponent advises that, based on the panel installed, the door height in front of the panel will not have any adverse impact on the actual working space required to access the equipment. The hardship is that the panel is installed and the room is substantially constructed. Revision of the room to accommodate the strict letter of the code would disrupt the surrounding construction without providing any benefit to safety. What is the cost to comply? Could they not install a larger door to accommodate the code?
- 13-08-44 A **IU Health – Methodist Hospital – Radiology Door Modification – First Floor – Indianapolis**
Two sets of smoke barrier doors will be reconfigured so that they are not double egress doors, which is required to meet the exception to Section 709.5 of the 2008 Building Code. The proponent advises that the building is fully sprinklered. Automatic smoke detection, which is not a requirement of the code, has been installed throughout the smoke resistant corridor system. Providing single egress, double doors in these locations will not cause code violations with respect to the following: The maximum permissible exit travel distance in the code is 200 feet and, with the change in door swing, the maximum travel distance will be 178 feet. The maximum permissible smoke barrier travel distance in the code is 200 feet and, with the door swing change, the distance will be 114 feet. The maximum permitted dead end in a corridor is 20 feet and the proposed door change will leave a dead end of 13 feet. The hardship in not doing this change of door swing, according to staff, is that the moving of patients through these doors will be safer due to the multiple people needed to transport the patients from the cath. lab. The doors swinging in one direction is much safer for all concerned.
- 13-08-45 BI **Mainstreet Crawfordsville Skilled Nursing and Assisted Living Facility – Crawfordsville** Project #361166
Sliding doors will be used rather than side hinged swinging doors at the entrance to the bathrooms in the patient rooms in this new facility. The proponent advises that the 2012 IBC permits manually sliding doors in means of egress from spaces with an occupant load of 10 or less. The rooms served by the sliding doors will have an occupant load of less than 10. The building is sprinklered throughout. The hardship is the use of side swinging doors reduces the maneuverability clearance required for accessibility and the use of sliding doors permits the room to be designed more efficiently because of unusable square footage due to the door swing. This variance has been granted on a number of previous projects.

- 13-08-46 BI **Mainstreet Kokomo Skilled Nursing and Assisted Living Facility – Kokomo**
Project #363097
Same as 13-08-45.
- 13-08-47 BI **Mainstreet Skilled Nursing and Assisted Living Facility – Indianapolis**
Project #360345
Same as 13-08-45.
- 13-08-48 BI **Mainstreet Health and Wellness Suites Georgetown Rd. – Indianapolis**
Project #365839
Similar to 13-08-45.
- 13-08-49 CI **42 East Washington Street ACI #13002 – Indianapolis**
An existing 3 story plus attic and basement of Type IIIB construction, mercantile occupancy building will be undergoing renovation and, as part of that renovation, the existing 4 story open stair will be relocated and replaced. The replacement stair will have a light opening added to the south side of the building adding an additional opening between the 1st and 2nd floor, which is not allowed by code. The proponent advises that the new stair will improve the remoteness of the exits and meet current design requirements for stairs contained in Section 1009 of the 2008 IBC. The building is 119 feet long and 20 feet wide and the net floor areas are: 1st floor, 2,190 sq. ft.; 2nd floor, 1,500 sq. ft.; and the 3rd floor, 1,892 sq. ft. The hardship is that the enclosing of the new stair would restrict the movement of occupants and reduce usefulness of the small existing building. How big is the opening? What is the construction type of the new stair?
- 13-08-50 BI **Woods at Oak Crossing – Indianapolis** Project #364320
The reconstructed exit stair enclosures in the fire damaged apartment will have openings from normally unoccupied rooms, which is not allowed by code, to such rooms as a sprinkler riser room and utility closets at the first floor and a utility closet at the 3rd floor. This is a reconstruction from the slab up, utilizing the existing slab. In the previous configuration, these spaces opened onto the stairs. The reconstructed building will be protected with an NFPA 13R sprinkler system. The rooms in question are separated with one hour construction and the openings will be protected with 60 minute doors. The hardship is that utilizing the current slab the configuration needs to be the same as before and there could be safety issues if an event occurs and the need for urgent access by maintenance personnel to these areas.
- 13-08-51(a)(b) BI **Indiana National Guard – Cold Storage Facility – Shelbyville** Project #365081
(a) The new structure will not be provided with toilet facilities, service sink, drinking fountain or emergency shower and eye wash station as required by code. The plumbing facilities are provided in the adjacent exiting structure. No hazardous chemicals or flammable or combustible liquids are stored in this facility. The hardship is that the building is unconditioned and used for the storage of aircraft parts, ground support equipment (rotor blade racks and tow bars), personal issue equipment (duffel bags containing body armor, helmets, canteens and weapon holsters), tool kits and vehicles'

supplies. Providing the plumbing fixtures required in Chapter 29 will significantly impact the cost of this project.

- AI (b) *The new building will not be provided with openings on one side. Openings on two sides are required where the opposite wall is more than 75 feet from the openings on one side in order to omit a sprinkler system.* The depth of the building is 80 feet. Four additional openings will be provided on 2 additional sides. The building is used for storage of noncombustible equipment as stated in variance a.

- 13-08-52 CI **The International School of Columbus – Columbus** Project #366030
The existing church structure is being changed to an “E” occupancy and is over area for that occupancy. The proponent advises that the buildings were constructed over the last 40 years and, prior to the leasing of the building to the school, the buildings were used for a large church and Sunday school. The basement will be sprinklered per code as part of this project. The change of use also includes two new exits, one from the basement to eliminate a dead end corridor and exit way from the furnaces and service panels and the other new exit is from the 2nd story of the athletic building. It provides access to the outside with a new hall and exterior stairs. The hardship is that the cost to sprinkler both buildings would be cost prohibitive and dividing the existing building with fire walls would be problematic. What is the cost to comply? Which building is the existing church building? The drawings don’t identify any building as an existing church building.
- 13-08-53 A **Miller Door and Trim, Inc. – Goshen**
The current spray rooms are not supplied with an automatic fire suppression system as required by code. This was discovered during an inspection by the local fire department. There is a letter from the local fire department requesting that this variance be approved. The business has been in operation for over 50 years. There is no information as to when the spray rooms were put in place. The fire official thinks that they had a suppression system at one time, but does not know when.
- 13-08-54 BI **Hospice House – Indianapolis**
Neither a Type I nor a Type II hood will be provided for the residential electric range/oven in the family dining area of the Hospice Care Building, as required by the Mechanical Code. The building will be protected with a sprinkler system per NFPA 13. A residential hood will be provided and installed per the manufacture’s requirements. Stove Top Fire Stop extinguishing canisters will be installed above the stove. The range will be used only occasionally for family meal preparation – prepared meals are regularly served for patients. The hardship is the cost of the Type I hood given the limited use of the range.
- 13-08-55 C **Hero Reward – Retreat Center – Corydon** Project #363550
The code required sprinkler system will not be provided for this R-1/B facility at the retreat center. The building is 1,170 sq. ft. The proponent advises that the main reason that they are constructing this building is to provide a handicapped accessible bathroom facility. They are on a well and cistern for water and have a letter from the water

company in the area that advises that they do not have a water main of sufficient size to support a sprinkler system.

13-08-56(a)(b)

Rolling Maul Soccer Complex – New Soccer Complex – Lafayette

CI (a) *The new soccer complex facility of Type IIB construction will be over area allowed by the code.* The code allows 16,625 sq. ft. and the complex will be 30,750 sq. ft. The proponent advises that the facility will be used exclusively for soccer events or other sporting activities. The accessory areas such as locker rooms, concessions, etc. will be separated from this building with a 2 hour fire wall. The owner's hardship involves the need to have the building meet soccer field regulatory dimension requirements. Why can't it be built of the appropriate construction type?

CI (b) *The new soccer building will have a fire department access road that does not extend to within 150 feet of all portions of the exterior as required by code.* The proponent advises that they will provide for a hammer turn or similar so that the largest fire department apparatus will have an available turn around. They state a similar variance was approved for the adjacent existing complex (variance #12-04-25). That variance had an e-mail that the fire department was not opposed. There isn't anything from the fire department on this application. The hardship is that the site constraints do not allow for compliant access roads. What are the dimensions that will be provided to all sides of the structure?

13-08-57(a)(b)

Vicksburg Pike Freezer Warehouse – Addition – Ft. Wayne

BI (a) *The code required 60 foot side yard or 4 hour fire wall will not be provided for the new construction of the warehouse addition.* The new addition will be approximately 50,000 sq. ft. and the existing building is 130,500 sq. ft. and the west wall is the one that will be only 30 feet from the property line. The west wall is 400 feet long. The proponent advises that the building will be protected with an NFPA 13 sprinkler system including the current structure. The west exterior wall will be provided with close spaced sprinklers a maximum of 6 feet on center for the full length of the wall. The water curtain design will be hydraulically designed to provide 3 gallons per minute per lineal foot of water curtain, with no sprinkler discharging less than 15 gpm. The adjacent building is 144 feet from this building, which is a metal recycling facility. Neither building can be expanded in the direction of each other. The hardship involves the cost of \$418,800.00/ project cost is \$4,980,000.00 of providing 400 feet of four hour fire wall. The adjacent building is not sprinklered.

CI (b) *The required fire department access road will be provided the full length of the west exterior wall within 150 feet of all portions of the exterior wall, but will be a dead end access road and an approved area of turnaround will not be provided as required by code.* The proponent advises that the building will be protected with an automatic sprinkler system per the 2010 Edition of NFPA 13. The existing building is protected with an automatic suppression system also. The proponent states that the Fort Wayne Fire Department has been consulted on this issue and they are not opposed to the variance request, but there is nothing in writing from the fire department. The owner's hardship involves the constraints of the site and the ability to provide ample space for a turn around.

- 13-08-58 CI **Whitestown Utilities – Booster Pump Station – Whitestown**
The code required sprinklers will not be provided in the chemical storage room classified as H-3 occupancy. The proponent advises that the chemicals that will be stored in the Booster Pump Station (a normally unoccupied building) are 360 gallons of Sodium Hypochlorite (bleach) 0.8% concentrate and 360 gallons of Ammonium Sulfate. Their review of the MSDS for the Sodium Hypochlorite solution shows that it is a corrosive and a Class II Oxidizer. Per the Table 307.1(1), the code would permit 250 gallons prior to classifying as an H-3 occupancy. The building is constructed of noncombustible construction and has no combustible contents other than tanks and pumping equipment. The chemicals stored are hazardous (oxidizers and corrosives), but not flammable or combustible. The water treatment systems are stored in tanks and in closed systems. Containment is provided for the tanks. What's the hardship?
- 13-08-59 BI **Greensburg High School Vocational Building Addition – Greensburg**
A new vocational school addition of Type IIB construction and 10,000 sq. ft. will be connected to the existing building with a pedestrian walkway that is 448 sq. ft., 30 feet long and 10 feet wide, without the code required 2 hour fire resistive construction separations. The code requires a 2 hour fire barrier with opening protection at each end of the walkway. The proponent advises that the addition and pedestrian walkway will be protected with an automatic fire suppression system per NFPA 13 the 2010 Edition. The openings will consist of glass doors and windows from the pedestrian walkway into the addition and into the existing building that will be protected with additional sprinklers. The pedestrian walkway will only be used for pedestrian traffic. The hardship involves the need to have visual acuity of the students through the openings and unwanted guests.
- 13-08-60 BI **Camp Lutherhaven – New Cabin Buildings #4 and #5 – Albion**
The two new cabin buildings with 3 separate sleeping areas in each building will be provided with an NFPA 13D sprinkler system rather than the code compliant 13R system. Cabin #4 will be 1,566 sq. ft. plus a 448 sq. ft. porch and Cabin #5 will be 1,566 sq. ft. with a 544 sq. ft. porch. The cabin buildings will be provided with a one hour fire barrier between each sleeping section. Three other cabins on this site have already been approved for the same variance. The hardship involves the cost to sprinkler the buildings per NFPA 13R.
- 13-08-61(a)(b)(c) **Town of Middlebury Waste Water Treatment Plant – Improvement Project**
Project #364230
- BI (a) *The code required toilet facilities, service sink, drinking fountain, and emergency shower and eye wash station will not be provided in the new structures. The proponent advises that they will have these items in other buildings in the area. The toilet facilities will be in the existing structures (buildings 190 and 230) and the eyewash and shower stations will be provided as required by IOSHA in structures 160 and 190. The hardship is that many of the buildings are small in size and the renovations are limited in nature and providing the plumbing fixtures in each building as required will significantly impact the cost of the project.*
- CI (b) *The code required sprinkler system for the chemical storage room in structure 160, which are classified as H-3 and H-4 occupancies, will not be provided. The new building*

at the water treatment plant will not be provided with the sprinklers. The building is non-combustible construction and will not have combustible contents other than the tanks and pumping equipment. The chemicals stored are hazardous, oxidizers and corrosives, but are not flammable or combustible. The water treatment systems are stored in tanks and in closed systems. Containment is provided for tanks.

- CI (c) *The small additions are part of the renovations required to make the necessary improvements and these buildings are not being upgraded for compliance with current codes. See attached work summary. The alterations to existing buildings were required to upgrade the water treatment facilities and process. The funding was limited to process the upgrades and not reconstruction of existing structures.*

- 13-08-62 CI **Shank Apartments – Bloomington** Project #361845
The new three story R-2 occupancy apartment building's north wall is only 10' 1" from the property line and has 8 windows that exceed the permitted unprotected opening percentage. The proponent advises that the building will be protected with an automatic fire suppression system per NFPA 13R per the 2010 Edition, which is required. The 8 windows will be protected with additional sprinklers. The window coverings will be arranged so the sprinkler discharge pattern will not be obstructed. The proponent states that, based on the quick response or residential sprinklers and additional sprinklers at the 8 windows, the building does not present an exposure hazard to the adjacent property. The hardship involves the cost to protect the additional windows with ¾ labeled opening protection. How are the additional sprinklers configured?

- 13-08-63(a)(b) **New Albany Fire Station – New Albany**
 - AI (a) *Elements and spaces for exclusive use by fire fighting personnel, including showers and toilet rooms in the dorm/bunk areas, will not be designed for accessibility per Chapter 11 of the IBC. The IBC requires that all spaces be designed for wheelchair accessibility. The proponent advises that the areas will be used exclusively by firefighters and are not open to the public, visitors or other employees. Emergency personnel are required by state law to be physically able as responders to emergencies. All employment positions available to the physically disabled and areas accessed by the general public will be provided with fully accessible facilities, as required. There have been multiple variances approved by the Commission for these same items. The hardship is the provision of accessible elements in areas used exclusively by firefighters would reduce the functionality of these areas and reduce the available usable space.*
 - BI (b) *A Type I or Type II hood will not be provided for the residential cook top in the kitchen and Table 507.2 does not provide a specific exception for cook tops in fire stations. The building is classified as "B" occupancy of Type IIB construction. There will be a residential exhaust hood provided as required for that specific cook top that will be installed per the manufacture's installation requirements. "Stove Top Fire Stop" extinguisher canisters will be provided above the stove. The hardship is the provision of a commercial hood would be a cost hardship.*

- 13-08-64 AI **1724 East Hillside – Units A through R – Bloomington**
The maximum sill height is higher than allowed by the code of record.

- 13-08-65 CI **Ben and Penny's – Newburgh** Project #363105
The code required accessible restrooms will not be provided for this facility. The proponent advises that they do not have the available area to expand the current restroom to make it accessible and do not have the funds to expand the structure to put in a new restroom. The area of the business is 1,160 sq. ft. and the restroom is 6' X 5.5' with a 27" doorway.
- 13-08-66 AI **Sweetwater 2013 SW Expansion – Ft. Wayne** Project #365431
The existing two story building of Type IIB construction and a new two story addition of Type IIB construction will be sprinklered and designed as an unlimited area building, but will have nonseparated accessory use assembly areas that will exceed the code allowed 10% limitation and tabular area permitted by the code for accessory use. A previous variance, 06-06-50, was granted to allow accessory assembly area in excess of the limit of the code. The proponent advises that the existing building and the new addition will be protected by an automatic sprinkler system per NFPA 13. The existing emergency voice/alarm communication system will be expanded into the new addition. All assembly areas are located on the first floor. The new assembly areas total only 5,393 sq. ft. The total area of the assembly accessory space will not be 10.6% of the total area of the first floor. The hardship is the desire to have an unlimited area building of Type IIB construction without the cost and inconvenience of providing structurally independent four hour walls to separate the accessory use groups from the rest of the building.
- 13-08-67 AI **Bloomington Center For Global Children – Bloomington**
A new door being installed as a 2nd means of egress does not meet the code requirements for height. The code requires the door to be at least 6' 8" and the proposed new door will be 6' 7". The proponent advises that this door will provide a 2nd means of egress from the room. They advise that they will install a 2nd extinguisher next to the door. The glass in the door will be tempered. The hardship is that the wall the door is being installed into will not allow a larger door due to the overhang. The reconstruction of the wall, overhang and roof would be extremely expensive and the roof was just installed in August of 2012.
- 13-08-68 CI **Indiana National Guard – Stout Field – Building 7 Renovation – Indianapolis**
The building is approximately 49,900 sq. ft. and the maximum allowable area for the construction type for the "B" use occupancy is 40,250 sq. ft. Eventually the entire building over the next twenty years will be converted to office space. The proponent advises that the existing warehouse (assumed to be an S-2 occupancy) built in 1951 had an office addition and alteration in 2005 and the fire wall installed is not structurally independent, thus the building does not comply with allowable area limits for Type IIIB construction. In 2009, some 4,240 sq. ft. was converted to offices and now 4,996 sq. ft. of warehouse space will be converted to office space. The proponent advises that they will undertake the alternatives: most of the interior partitions will be two hour fire barriers from deck to deck; most of the ceilings for this project are 2 layers of 5/8" gypsum suspended from the structure, resulting in at least a one hour roof ceiling structure for the remodeled portion; the new walls and ceilings will provide a high degree of fire compartmentation and fire resistance to the existing structure. The partitions that are

not fire rated will include plumbing walls. The restrooms will have non-rated acoustical lay-in ceiling. The hardship is the budget for this alteration project is \$750,000.00 and the cost to fire rate the entire structure would be approximately \$75,000.00. A fire wall is estimated to be \$55,000.00. The Department of the Army / Indiana National Guard does not want sprinklers in the building due to the extent of electronic equipment in the building.

13-08-69

Hinkle Fieldhouse Renovation - Indianapolis

Project #364249

(a)(b)(c)(d)(e)(f)(g)

- CI (a) *A new exit door does not have a continuous accessible path to the public way, as required by the 2008 Building Code.* The proposed alternatives are to install at 30" x48" wheelchair space, with the doors leading to the space and windows within 10' horizontally of the space protected on the interior with close-spaced sprinklers. The stated hardship is that the site at the location of this door slopes to such a degree that the 1:12 ramp is not possible. Can the wheelchair space be made any larger?
- AI (b) *The construction of 2 new mezzanines is required to comply with the 2008 Building Code, which requires them to be fire-rated construction.* The request is to allow the 2 (930 sq. ft. and 620 sq. ft.) to be unprotected steel. The mezzanines will be used to support air handling equipment. The existing building is a combination of unprotected structural steel framing and concrete floors, with masonry exterior walls.
- CI (c) *A room containing new and existing hot-water boilers will not be separated from the rest of the building by a 1-hour fire-rated separation.* The construction of that level of the building is concrete and masonry wall, with concrete floor above. That level of the building is open to the rest of the building. Is there a cost estimate to provide at least some protection?
- CI (d) *The boiler room in (c) above does have the required second means of egress.* A new second exit is being provided from that level. How big is the space? What's the maximum travel distance to the closest exterior exit?
- CI (e) *New construction being performed is required to be Type IB.* The request is to allow the use of fire retardant plywood as a flooring material for steel joist ceiling framing on 1st floor areas on each side of the seating bowl in this A-4/A-3B occupancy. Fire-retardant treated wood is not permitted in Type IB buildings. The cited hardship is the cost. What is the cost?
- CI (f) *The 2008 Building Code does not permit projections more than 4" over any walking surface between the heights of 27" and 80" above the walking surface.* The request is to be allowed to have drinking fountains on the 1st and 4th floor concourse levels that project more than 4". How many fixtures are there? How far do they project into the protected space? How high are the projections? How much of the restroom space would be reduces by created compliant recessed spaces for the drinking fountains?
- NVR/BI (g) *The private toilet for a single person office will not comply with accessibility requirements.* Is the space required to be accessible under Section 1109.2? The toilet room can be expanded in the future for a disable occupant of the office. If it's required, why can't it be expanded now?

- 13-08-70 CI **Prologis Lebanon Commerce Building #1 – Lebanon** Project #365175
Return bends shall be provided where pendent sprinklers have a K factor of 16.8 and are supplied from a raw water source. The request is to omit the return bends. The new exception to 18.5.19.5 was added to the 2013 Edition of NFPA 13 allowing sprinklers having a K-factor of K11.2 or higher without return bends. The hardship is that this could increase the cost of the fire project by 15%. What is the cost to comply? Why was it not designed to the 2010 Edition?
- 13-08-71(a)(b) CI **Our Lady of Mount Carmel Convent – Carmel**
 (a) *The code required NFPA 13R sprinklers will not be provided for the new single family dwelling unit for a (R-3 congregate residence) convent for nuns and will instead have an NFPA 13D system installed.* The 2012 model code allows NFPA 13D systems for R-3 occupancies. The proposed 2014 Indiana Building Code, based on the 2012 Edition of the International Building Code, will allow the NFPA 13D for the building, which functions like a single family dwelling unit with one family. The Indiana Residential Code does not require sprinklers. The owner's hardship involves the desire to use a more current code, soon to be adopted, that would allow the proposed use and save construction costs and provide the same level of protection to the occupants.
- CI (b) *The code required 1 hour corridors will not be provided in this new R-3 occupancy.* This is a congregate residence, convent for nuns. The proponent advises the building will be protected with an NFPA 13D sprinkler system. A second means of egress from the 1st and 2nd floors will be provided. While the floors are greater than 2,000 sq. ft., the dwelling is designed for 11 cells (in term not function) on the 2nd floor and 3 future cells in the basement – 14 nuns. If there were only 10 persons, then they could follow the Indiana Residential Code which has no requirements for rated corridors. Sleeping cells will have windows that meet the size dimensions of emergency escape and rescue windows. The hardship involves the additional cost of rated walls, dampers and door closures, etc. Additionally, the hardship involves the congregate environment that a convent wants to provide with interaction between participants in the order that doors with closers will not provide.
- 13-08-72(a)(b) **Mooreville High School – Renovation and Addition – Mooreville** Project #364433
 C/DI (a) *The new sprinkler system being installed in the school will be installed in phases and not be completed until August of 2014.* The variance request is to permit occupancy of the addition and the completed phases of the project without an operational sprinkler system until beginning on August 7, 2013 and ending August 2014. The sprinkler system is required in order to permit the entire building to be considered a single building area, to permit nonrated corridor construction and other IBC provisions for sprinklered buildings. The project involves the construction of an infill addition of 7,646 sq. ft. within an existing courtyard to provide improved pedestrian circulation and to better connect different areas of the building. The project also includes extensive renovation of the north portion of the building over several phases. The building is Type IIB Construction. The proponent advises that the automatic sprinkler protection will be installed in accordance with the project schedule in the addition and all existing areas to be renovated. At the end of the project the building will be protected throughout with the

sprinkler system. The north portion of the existing building is not currently sprinklered. The hardship is that it is not feasible to provide sprinkler protection throughout the entire building in a single phase. The students are being relocated in phases during the course of the project in order to accommodate renovation of the various existing areas. Variance 13-05-32 was approved to allow phasing of the sprinkler system so long as each occupied space was fully protected prior to occupancy.

- C/DI (b) *Temporary classrooms over 1,000 sq. ft. in area within the existing building are to be occupied from August 7, 2013 until August 2014 and they will have 2 means of egress both through an adjoining classroom which is not permitted and doors will not swing in the direction of egress in all instances, as required by code.* The temporary classrooms will be provided within the area previously occupied as the administrative area, with the rooms being created using as much of the existing partitions as possible. The project involves extensive renovation of the north portion of the building over several phases and also includes the construction of an infill addition of 7,646 sq. ft. within the courtyard to provide improved pedestrian circulation. The maximum class size will be 40 students based upon fixed class schedules. The hardship is that the rooms are sized based upon the location of existing partitions within the former administrative area and not upon the student population. The existing partitions will be used to form the temporary classrooms, many of which are cmu construction. Existing doors are located in cmu walls with grouted frames.

- 13-08-73 CI **IU Health Bloomington Hospital – Hunter School SIP Ortho Clinic – Bloomington**
The project will be evaluated using Section 3410 in lieu of compliance with all of the requirements for new construction and the variance request is to permit a score of +30 for building area, in lieu of being limited to a score of +12. The existing building was constructed in 1931 and is changing use from a school (E occupancy) to a medical office building (B occupancy). The building is Type IIIB construction, 2 stories with a partial basement and approximately 14,130 sq. ft. per floor. The basement is divided into 2 sides, the north side is 1,288 sq. ft. and the south is 1,052 sq. ft. Each side has at least 2 exits. The building is fully sprinklered and has a fire alarm system, but the fire alarm system horns/strobes and pull stations do not comply with current code, so there is no credit is given for this. The hardship is in order to get the passing score using Section 3410, a new sprinkler system, a new fire alarm system and smoke detection throughout the entire building would have to be provided. This would render the project economically infeasible and the project would be abandoned.